

Coast Guard, DOT

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8702, 8901, 8902, 8903, 8904, 8905(b), and 9102; and 49 CFR 1.45 and 1.46.

SOURCE: CGD 81-059, 52 FR 38652, Oct. 16, 1987, unless otherwise noted.

Subpart A—Purpose and Applicability

§ 15.101 Purpose of regulations.

The purpose of the regulations in this part is to set forth uniform minimum requirements for the manning of vessels. In general, they implement, interpret, or apply the specific statutory manning requirements in title 46, U.S.C., parts E & F, implement various international conventions which affect merchant marine personnel, and provide the means for establishing the complement necessary for safe operation of vessels.

§ 15.102 Paperwork approval.

(a) This section lists the control numbers assigned by the Office of Management and Budget under the Paper Reduction Act of 1980 (Pub. L. 96-511) for the reporting and recordkeeping requirements in this part.

(b) The following control numbers have been assigned to the sections indicated:

(1) OMB 2115-0624—46 CFR 15.1107, and 15.111.

(2) [Reserved]

[CGD 95-62, 62 FR 34538, June 26, 1997]

§ 15.103 General.

(a) The regulations in this part apply to all vessels which are subject to the manning requirements contained in the navigation and shipping laws of the United States, including uninspected vessels (46 U.S.C. 7101-9308).

(b) The navigation and shipping laws state that a vessel may not be operated unless certain manning requirements are met. In addition to establishing a minimum of licensed individuals and members of the crew to be carried on board certain vessels, they establish minimum qualifications concerning licenses, citizenship, and conditions of employment. It is the responsibility of the owner, charterer, managing operator, master, or person in charge or command of the vessel to ensure that appropriate personnel are carried to

meet the requirements of the applicable navigation and shipping laws and regulations.

(c) Inspected vessels are issued a certificate of inspection which indicates the minimum complement of licensed individuals and crew (including lifeboatmen) considered necessary for safe operation. The certificate of inspection complements the statutory requirements but does not supersede them.

(d) The regulations in subpart J of this part apply to seagoing vessels subject to the International Convention on Standards of Training, Certification and watchkeeping for Seafarers as amended in 1995 (STCW).

(e) Neither any person serving on any of the following vessels, nor any owner or operator of any of these vessels, need meet the requirements of subpart J, because the vessels are exempt from application of STCW:

(1) Uninspected passenger vessels as defined in 46 U.S.C. 2101(42).

(2) Fishing vessels as defined in 46 U.S.C. 2101(11)(a).

(3) Fishing vessels used as fish-tender vessels as defined in 46 U.S.C. 2101(11)(c).

(4) Barges as defined in 46 U.S.C. 2101(2), including non-self-propelled mobile offshore-drilling units.

(5) Vessels operating exclusively on the Great Lakes.

(f) Personnel serving on the following vessels, and the owners and operators of these vessels, are in compliance with subpart J and are not subject to further obligation for the purposes of STCW, on account of the vessels' special operating conditions as small vessels engaged in domestic voyages:

(1) Small passenger vessels subject to subchapter T or K of title 46, CFR.

(2) Vessels of less than 200 GRT (other than passenger vessels subject to subchapter H of title 46 CFR).

(g) Licensed personnel serving on vessels identified in paragraphs (e)(5), (f)(1), and (f)(2) of this section will be issued, without additional proof of qualification, an appropriate STCW certificate or endorsement when the Officer in Charge, Marine Inspection determines that such an endorsement is necessary to enable the vessel to engage in an international voyage. The

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STCW certificate or endorsement will be expressly limited to service on the vessel or the class of vessels and will not establish qualification for any other purpose.

[CGD 81-059, 52 FR 38652, Oct. 16, 1987, as amended by CGD 95-062, 62 FR 34538, June 26, 1997]

§ 15.105 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and must ensure that the material is available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street NW., Suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593-0001, and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

International Maritime Organization (IMO)

4 Albert Embankment, London, SE1 7SR, England

STCW—The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995, (STCW Convention), and Seafarer's Training, Certification and Watchkeeping Code (STCW Code)—15.103; 15.1101; 15.1103; 15.1105; 15.1109.

[CGD 95-062, 62 FR 34539, June 26, 1997, as amended by USCG-1999-6216, 64 FR 53223, Oct. 1, 1999]

Subpart B—Definition of Terms

§ 15.301 Definitions of terms used in this part.

(a) The following terms defined in this subpart apply only to the manning of vessels subject to the manning provisions in the navigation and shipping laws of the United States:

46 CFR Ch. I (10-1-00 Edition)

Assistance Towing means towing a disabled vessel for consideration.

Coastwise seagoing vessel means a vessel that is authorized by its Certificate of Inspection to proceed beyond the Boundary Line established in part 7 of this chapter.

Deck crew (excluding licensed individuals) means, as used in 46 U.S.C. 8702, only the following members of the deck department below the grade of licensed individual: Able seamen and ordinary seamen.

Designated areas means those areas within pilotage waters for which first class pilot's licenses or endorsements are issued under part 10, subpart G, of this Chapter, by the Officer in Charge, Marine Inspection (OCMI). The areas for which first class pilot's licenses or endorsements are issued within a particular Marine Inspection Zone and the specific requirements to obtain them may be obtained from the OCMI concerned.

Directly supervised means being in the direct line of sight of the person in charge or maintaining direct, two-way communications by a convenient, reliable means, such as a predetermined working frequency over a hand-held radio.

Disabled vessel means a vessel that needs assistance, whether docked, moored, anchored, aground, adrift, or under way; but does not mean a barge or any other vessel not regularly operated under its own power.

Officer in Charge, Marine Inspection (OCMI) for the purposes of part 15 means any person designated as such by the Commandant and who under the Coast Guard District Commander is in charge of an inspection zone.

Pilotage waters means the navigable waters of the United States, including all inland waters and offshore waters to a distance of three nautical miles from the baseline from which the Territorial Sea is measured.

Staff officer means a person who holds a certificate of registry in the staff department such as a purser, a medical doctor or professional nurse, which is issued by the Coast Guard.

Self-Propelled has the same meaning as the terms propelled by *machinery* and mechanically propelled. This term